

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

J. DAVID GOLUB,

Plaintiff,

19-cv-10309 (JGK)

- against -

ORDER

BERDON LLP,

Defendant.

JOHN G. KOELTL, District Judge:

The plaintiff has moved to adjourn the evidentiary hearing scheduled for October 4, 2022 and to conduct the hearing virtually. The defendant consents to the application. While testimony in person is preferred, particularly in view of the importance of credibility determinations, the Court will defer to the parties' agreement, and the application is granted.

The Court will conduct the hearing by Zoom on **October 12, 2022 at 10:30 a.m.** The parties should arrange with the Court's Deputy Don Fletcher to assure that the proper arrangements are made for the Zoom hearing. Mr. Fletcher's contact number is 212-805-0107.

Because the hearing is by Zoom, special preparations must be made. The parties should notify each other and the Court no later than **September 30, 2022**, whether any witnesses other than the plaintiff will be called. No later than **October 3, 2022**, the parties should submit to each other and the Court copies of any

exhibits they seek to have considered at the evidentiary hearing, appropriately marked - the plaintiff's exhibits marked numerically from 1 to the end, and the defendant's exhibits marked alphabetically from A to the end. Any responsive exhibits must be submitted by **October 7, 2022**. No exhibits not submitted in advance will be considered at the evidentiary hearing.

SO ORDERED.

**Dated: New York, New York
September 27, 2022**

A handwritten signature in dark ink, appearing to read "John G. Koeltl", is written over a horizontal line.

**John G. Koeltl
United States District Judge**